

REMARKS

This Response is to the Office Action dated February 19, 2010 and is submitted in furtherance of the telephone interview conducted on April 13, 2010. In the Office Action, Claims 11, 13 to 20, 28 and 30 to 34 are pending and rejected, with claims 1 to 10, 12, 21 to 27 and 29 having been previously cancelled. By this Response, claims 11 and 15 have been amended and claims 35 to 38 have been added. No new matter has been added by these amendments or new claims. Support for these amendments is found at least at paragraph [0374] of U.S. Publication No. 2004/0167804 (the present application). Please charge Deposit Account No. 02-1818 for the new claims and any other amounts deemed due in connection with this Response.

Claim 15 has been amended as suggested by the Examiner during the April 13, 2010 telephone interview to clarify the system includes a request message generated by a program within a software application embodied on a computer readable medium executed by a clinician device attached to a network.

In the Office Action: (a) claims 11, 14 to 16, 28 and 30 to 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,364,834 to Reuss ("*Reuss*") in view of U.S. Publication No. 2002/0016568 to Lebel et al. ("*Lebel*"); (b) claims 7, 13, 17, 18 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Reuss* and *Lebel* and further in view of U.S. Patent No. 6,057,758 to Dempsey et al. ("*Dempsey*"); and (c) claim 19 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Reuss* and *Lebel* and further in view of www.catharsismedical.com.

Regarding the rejection of claims 11, 14 to 16, 28 and 30 to 34 over *Reuss* in view of *Lebel*, independent claims 11 and 15 have been amended to expedite prosecution, as proposed during the April 13, 2010 telephone interview, and to overcome this rejection. Amended claim 11 includes the remote device enabling the clinician to access a list interface which contains a list of all patients the clinician is responsible for, including the specific patient, for which an alarm or alert condition exists and one of a plurality of different alarm or alert icons related to each respective patient on the list, and wherein different alarm or alert icons are associated with different patient or clinician tasks. Claim 15 has been similarly amended.

Lebel is directed to an implantable infusion pump configured to exchange messages with an external device and does not disclose enabling a clinician to access the claimed list interface.

Reuss is directed to a patient monitoring system including at least one patient monitor, at least one central monitor, and at least one remote access device. [Abstract]. While *Reuss* does disclose a remote access device, as discussed beginning at column 4, line 55 of *Reuss*, *Reuss* does not disclose the remote access device enabling a clinician to access a list interface which contains a list of all patients the clinician is responsible for, including the specific patient, for which an alarm or alert condition exists and one of a plurality of different alarm or alert icons related to each respective patient on the list, and wherein different alarm or alert icons are associated with different patient or clinician tasks.

Further, during the April 13, 2010 telephone interview, Applicants' representative and the Examiner discussed the addition of new claims 35 to 38. New claims 35 and 37 (dependent on claims 11 and 15, respectively) clarify that each hyperlink is associated with a different color to differentiate the level of urgency of attention required for each of the patients on the list.

Additionally, new claims 36 and 38 (dependent on claims 11 and 15 respectively) clarify that each hyperlink is associated with a different shading to differentiate the level of urgency of attention required for each of the patients on the list. None of the cited references disclose the subject matter of new claims 35 to 38.

For at least these reasons, Applicants respectfully submit that claims 11, 14 to 16, 28 and 30 to 34 are patentable over the combination of *Reuss* and *Lebel* and in condition for allowance. Applicants further respectfully submit that new claims 35 to 38 are patentable over the combination of *Reuss* and *Lebel* and in condition for allowance.

Applicants respectfully submit that claims 13, 17, 18 and 20 are patentable over the combination of *Reuss*, *Lebel* and *Dempsey* and claim 19 is patentable over the combination of *Reuss*, *Lebel* and www.catharsismedical.com for the same reasons.

For the foregoing reasons, Applicants respectfully request reconsideration of the above-identified patent application and earnestly solicit an early allowance of same.

Respectfully submitted,
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